

TOWN OF SEABROOK

SELECTMEN'S MEETING

OCTOBER 19, 2020

Present: Theresa A. Kyle  
Ella M. Brown  
Aboul B. Khan  
William Manzi

10:00AM

Mrs. Kyle opened the meeting at 10:10AM.

**ANNOUNCEMENT - POLICE LIEUTENANT**

Tim Mone has been hired as the new Police Lieutenant. Chief Walker read his bio into the record (see attached).

**MONTHLY MEETING - POLICE CHIEF**

Chief Brett Walker was present for his monthly report (see attached). Trick-or-treat is scheduled for October 30 from 5:30PM to 7:30PM.

**MEETING - RED'S KITCHEN - ENTERTAINMENT PERMIT**

Attorney Mary Ganz and John Drivas business owner were present. Attorney Ganz spoke and said they are asking to have karaoke, trivia, music, etc. John Drivas agreed to shut the music down at 10PM. John Drivas said it would be different types of music like country but not live bands.

Mr. Khan said they had come before the planning board and asked if there would be any issues with the neighbors. One neighbor did make a complaint but that issue has been resolved and all are excited for this business to be successful in town.

MOTION: Aboul B. Khan To approve Red's Kitchen  
Second: Ella M. Brown entertainment permit.  
Abstain: Theresa A. Kyle

**MEETING - EATON APOTHECARY - BUSINESS LICENSE**

Taryn Eaton business owner and Bill Eaton were present. Taryn Eaton said this is a retail outlet that sells CBD oils and they are trying to appeal to a different crowd such as the older generation who may not be comfortable going into a vape store. The THC levels are .03% which in no way will make you high, it is really for pain management. There are no state licensing requirements for this type of retail. The product they are selling is 100% and is currently being sold in town. Taryn Eaton said her products will be a little more extensive to what is being sold in gas stations. Currently they have 10 parking spaces allotted to them.

MOTION: Aboul B. Khan To approve the business

Second: Ella M. Brown license for Eaton  
Abstain: Theresa A. Kyle Apothecary.

**MS-1 FORM**

Mr. Manzi said this is a request of Angela Silva to calculate values to come to a final 2020 tax rate.

MOTION: Ella M. Brown To approve and sign the  
Second: Theresa A. Kyle MS-1 form.  
Unanimous

**WATER & SEWER SERVICE APPLICATIONS**

GSDC Development Corp. - 16 Atlantic Avenue - \$50 & \$50

MOTION: Theresa A. Kyle To approve and sign the  
Second: Ella M. Brown sewer application  
Unanimous subject to Curtis  
Slayton signing it.

MOTION: Theresa A. Kyle To approve and sign the  
Second: Ella M. Brown water application.  
Unanimous

**QUITCLAIM DEED - HILLSIDE CEMETERY**

Dorothy Clark - Section 31 Plots 5&6

MOTION: Theresa A. Kyle To approve and sign the  
Second: Ella M. Brown quitclaim deed.  
Unanimous

**RESOLUTION TO FEMA FLOOD PLAIN MAP**

Mr. Manzi explained this is a housekeeping item sent by FEMA and the State of NH to recognize the new flood plain maps.

MOTION: Ella M. Brown To approve pursuant to  
Second: Theresa A. Kyle RSA 674:57, by  
Unanimous resolution of the Board  
of Selectmen, all lands  
designated as special  
flood hazard areas by  
the FEMA in its Flood  
Insurance Study for the  
County of Rockingham, NH  
dated January 29, 2021  
together with associated  
Flood Insurance Rate  
Maps, dated January 29,  
2021, are declared to be

part of the Town of Seabrook Zoning Ordinance and are hereby incorporated by reference. Owner and lessees of affected real property may appeal the map amendment under 44 CFR 67.5.

MOTION: Ella M. Brown  
Second: Theresa A. Kyle  
Unanimous

To adopt the regulations to comply with requirements of the National Flood Insurance Act of 1968; these regulations shall apply to all lands designated as special flood hazard areas by FEMA in its Flood Insurance Study for Rockingham County, NH dated January 29, 2021 or as amended, together with the associated Flood Insurance Rate Maps dated January 29, 2021 or as amended, which are hereby declared to be a part of this ordinance and are hereby incorporated by reference.

**C&J'S REQUEST**

Mr. Manzi said the sign placement would be a direction needed by the Board of Selectmen in order to place the sign.

MOTION: Theresa A. Kyle  
Second: Ella M. Brown  
Unanimous

To approve changing the road name and to direct the town manager to place the sign as appropriate with DPW.

**HUMAN SERVICE REQUESTS**

Mr. Manzi said all of the human service requests have been submitted. Some of the agencies have submitted what the board had previously cut them to however, some have not. The board in 2020 did cut all of the requests that came in.

Mr. Khan suggested that the organizations that directly support the Seabrook residents only should be looked at separately as they do not take salaries and it is not fair they continually get less money. He asked that the town manager look at the list and bring to them how this can be addressed. Mr. Manzi said the board had taken the entire group and reduced the amount they had requested. What he is asking to do this year is to remove those 2 groups and not cut them if the board so chooses.

MOTION: Aboul B. Khan To fund the requests as  
Second: Ella M. Brown submitted for the Lion's  
Abstain: Theresa A. Kyle Club of \$6K & Community  
Table of \$8K.

Mrs. Kyle abstained as she is a member of the Lion's Club.

Mr. Manzi asked if they wanted to keep the others funded at the 2020 level and if so they would need a motion. Mrs. Kyle commented that she is not in favor of one of the requests. Mrs. Brown said she would be in favor of keeping them the same as 2020.

Mr. Manzi read the list of agencies and the amount funded in 2020 (see attached). There was discussion on Chucky's Fight getting more money than the two organizations that give 100% back to the residents of Seabrook.

MOTION: Aboul B. Khan To approve all of the  
Second: Ella M. Brown human service agencies  
Abstain: Theresa A. Kyle for the 2020 requests  
set by the board.

Mr. Manzi said last year the budget committee did not call the agencies in for a meeting but asked what the feeling of the board is for this year. Mr. Khan said with the pandemic he doesn't see a need to bring them in unless someone has specific questions.

#### **BUDGET REVIEW**

Mr. Manzi advised the board the healthcare number has come in with a 8.5% increase. He said more work needs to be done on this but they are committed to HealthTrust so the board will need to vote on a new bottom line budget of \$26,432,226.

Mr. Khan suggested having a cap on the warrant articles due to the increase in the budget or nothing is going to pass. Mr. Manzi commented that 83% of the increase in in two departments which is public safety.

Mr. Khan suggested they bring back police and fire and look at each line before a final vote is taken by the budget committee. Mr. Khan is fine with this as long as the taxes don't increase. Board agrees that taxes will increase and Mr. Khan said they should bring back the departments.

Mr. Manzi said the police budget is mostly comprised of the union contracts and the 2 positions approved by the voters. The fire budget is almost exclusively in the overtime and additionally the board recognized the change from the \$90K in the ambulance fund and put it into the actual fire budget.

Mrs. Brown said with the overtime in the fire budget it went from \$590K to over \$890K which is a \$210K increase. They also gave money to a new line that gives overtime for when there is an injury/illness of a firefighter but cannot be used for regular overtime.

The police budget went from \$4.8 million to \$6 million but is contractual and the hiring of 2 new officers that were approved by the voters.

Mr. Khan said he is not concerned with the budget he is concerned with the warrant articles as we now have to ask the voters to approve the budget with a \$2 million dollar increase and support the requested warrant articles. The board discussed how they can cut the wants but stated they cannot cut the needs. Mrs. Brown said there are people sitting in offices that should be able to help out and fill in where needed.

Mr. Manzi said the fund balance is about \$7.1 million without having the single audit completed. He said they have spent about \$6 million out of the fund balance and some of that was used to stabilize the tax rate and some was for capital spending. There was discussion of how long they have to make changes to the budget. Mr. Manzi commented that it is the budget committee's budget that goes on the warrant.

MOTION:	Aboul B. Khan	To approve the bottom
Second:	Theresa A. Kyle	line budget of
Abstain:	Ella M. Brown	\$26,432,226.

#### QUESTIONS/COMMENTS

Mr. Khan and Mr. Manzi went to the new business State Farm and the event they held on Friday.

Mrs. Brown commented that the Yankee Coop is having a trunk-or-treat on October 30 from 5:30PM to 7:30PM. The board advised

all residents to please be safe during this time and wear a mask and gloves if possible.

Mrs. Kyle said if anyone is getting a brown envelope with a request for a ballot do not complete and it should be thrown out as it is not coming from the town.

MOTION: Theresa A. Kyle

To adjourn the meeting

Second: Ella M. Brown

at 11:53AM.

Unanimous

Approved and endorsed

\_\_\_\_\_  
Aboul B. Khan, Clerk

Date: \_\_\_\_\_

# **TOWN OF SEABROOK BOARD OF SELECTMEN**

## **AGENDA**

October 19, 2020

Open Meeting at 10:00 A.M.

### **TURN CELL PHONES TO VIBRATE OR OFF PLEASE PLEDGE OF ALLEGIANCE**

#### **MEETING**

- 1.) Monthly Meeting – Police Chief
- 2.) Meeting – Red’s Kitchen – Entertainment Permit
- 3.) Meeting – Eaton Apothecary, LLC. – Business License

#### **NEW BUSINESS**

- 1.) Question of approving MS-1 extension form.
- 2.) Question of approving water & sewer application for GSDC Development Corp. – 16 Atlantic Avenue.
- 3.) Question of approving quitclaim deed in Hillside Cemetery for Dorothy Clark – Section 31 Plots 5 & 6.
- 4.) Question of approving resolution to the FEMA Floodplain Map.
- 5.) Question of approving C&J’s request to change in-bound road from Sam’s Road to CJ Way and sign placement on road for bus terminal entrance.

#### **QUESTIONS/COMMENTS**

Board of Selectmen on any boards and/or committee meetings they have attended

#### **PUBLIC PARTICIPATION**

## Kelly O'Connor

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**From:** Brett Walker  
**Sent:** Friday, October 16, 2020 5:30 PM  
**To:** William Manzi; Kelly O'Connor; Kevin Gelineau  
**Subject:** Bio for Lt. Mone

Good evening all,

Here's the bio for Lt. Tim Mone:

On Friday October 16<sup>th</sup> Timothy Mone was sworn in as a full-time Seabrook Police Lieutenant. Lt. Mone fills the position formerly held by Deputy Chief Gelineau. Lt. Mone previously served as a Sergeant with the NH Liquor Commission Bureau of Enforcement. He is a graduate of the Massachusetts Maritime Academy and has served in NH law enforcement for 20 years. Lt. Mone graduated from the 126<sup>th</sup> Full-time Police Academy in 2001 and has also worked at the University of New Hampshire Police Department and the Madbury Police Department. He is a two-time member of the NH Attorney General's Drug Task Force and Assistant Team Leader of the Seacoast Team and has experience as a Field Training Officer, Taser instructor, Drug Recognition Expert, physical fitness testing, PBT instruction, and a number of other trainings and certifications. He also comes from two CALEA-accredited agencies in the Liquor Commission and UNH PD and is a past President of the NH Police Association as well as a member of the Governor's Economic Reopening Task Force. We believe Lt. Mone will fit right in with the Seabrook PD family and look forward to the experience he brings with him.

—  
Brett Walker, Chief of Police  
Seabrook Police Department  
7 Liberty Lane  
Seabrook, NH 03874

Phone: (603) 474-5200  
Fax, General: (603) 474-7242  
Fax, Detectives: (603) 468-1999  
[bwalker@seabrookpd.com](mailto:bwalker@seabrookpd.com)

**\*\*\*Statement of Confidentiality\*\*\***

The information contained in this electronic message and any attachments to this message may contain confidential or privileged information and is intended for the exclusive use of the addressee(s). Please notify the Seabrook Police Department immediately at (603) 474-5200 or reply to [bwalker@seabrookpd.com](mailto:bwalker@seabrookpd.com) if you are not the intended recipient, and destroy all copies of this electronic message and any attachments.



# Seabrook Police Department



7 Liberty Lane, P.O. Box 456  
Seabrook, NH 03874  
Phone: (603) 474-5200  
Fax: (603) 474-7242

*Brett J. Walker*  
Chief of Police

*Kevin M. Gelineau*  
Deputy Chief of Police

October 19, 2020

## August, September, October (partial) Report to Selectmen

- Ofc. Matt Goehle continues his studies with the 183<sup>rd</sup> full-time police academy which is scheduled to graduate in December.
- We worked with Recreation Director Katie Duffey to assist with planning their trunk-or-treat as well as provided recommendations to the Board regarding trick-or-treat. Both events are scheduled for October 30<sup>th</sup> from 5:30pm-7:30pm. We also participated in multi-community discussions about the topic.
- PowerDMS software has been obtained and the command staff is currently "onboarding" documents and working through "PowerDMS University" which is a rigorous online training for the product. We expect the software to "go live" before the end of the year.
- Seabrook officers received training in Active Bystandership, Internal Affairs, De-biasing Techniques, and School Re-unification.
- Patrol officers participated in mandatory firearms training.
- The new ATV and UTV purchased using funds from the D'Alessandro account are in and being upfitted for use.
- Chief Walker attended the Board meeting on September 21<sup>st</sup> to request changes to the Town Ordinance regarding towing services.
- We have one patrol fleet unit in and waiting to be upfitted.
- We currently have conditional offers out to three candidates for vacant full-time patrol positions with one entering the background phase. These three candidates would fill our 27 positions.
  - We continue conducting interviews to fill the two additional patrol positions approved by the voters in March and becoming effective December 1<sup>st</sup>, 2020.
- We are conducting a hiring process to fill a vacant full-time dispatch position.
- Chief Walker and Deputy Chief Gelineau attended meetings with the Board as well as the Budget Committee as part of the 2021 budgetary process.
- 22 members of the Seabrook PD, including K9 Henry, are participating in the Beards for Bucks fundraiser to benefit the Child Advocacy Center of Rockingham County. Participating Seabrook PD staff donated a minimum of \$35.00 and are raising funds to benefit an invaluable partner in the prosecution of those who victimize children. It's a fun month of going "razorless for a reason" for law enforcement but it promotes and supports a very important organization. [Donate to the Seabrook PD \(or search for your favorite officer\) at justgiving.com/team/SeabrookPD.](https://atjustgiving.com/team/SeabrookPD)
- On Friday October 16<sup>th</sup> Timothy Mone was sworn in as a full-time Lieutenant. Lt. Mone fills the position formerly held by Deputy Chief Gelineau. Lt. Mone previously served as a Sergeant with the NH Liquor Commission Bureau of Enforcement. He is a graduate of the Massachusetts Maritime Academy and has served in NH law enforcement for 20 years. Lt. Mone graduated

from the 126<sup>th</sup> Full-time Police Academy in 2001 and has also worked at the University of New Hampshire Police Department and the Madbury Police Department. He is a two-time member of the NH Attorney General's Drug Task Force and Assistant Team Leader of the Seacoast Team and has experience as a Field Training Officer, Taser instructor, physical fitness testing, PBT instruction, and a number of other trainings and certifications. He also comes from two CALEA-accredited agencies in the Liquor Commission and UNH PD and is a past President of the NH Police Association. We believe Lt. Mone will fit right in with the Seabrook PD family and look forward to the experience he brings with him.

**Regular activities**

- Attended meetings on multiple platforms related to the COVID-19/coronavirus updates and related issues.
- Attended a virtual meeting for the Seacoast Emergency Response Team (SERT)

Drug Overdose Statistics through October 8, 2020 are as follows:

2020 YTD OVERDOSES -29
2020 YTD OVERDOSE DEATHS -4

We continue to use our social media accounts on Facebook, Twitter, and Instagram (@SeabrookNHPD) to connect with the public. This has proved to be an effective means of providing information to and interacting with the public. The Seabrookpd.com website has a Twitter feed at the bottom for people who do not utilize social media.

While we continue to limit our public interactions in order to maintain a healthy staff we look forward to resuming our regular Coffee with a Cop program as well as our other public outreach events as a means of connecting with residents. We appreciate the community support over the past several months. While the State has opened up we continue to err on the side of caution.

Despite the unprecedented challenges over the past several months, Seabrook Police staff members continue to provide the community with a high level of service on a daily basis to include our continued participation in numerous drug and opioid reduction initiatives to combat the sale and distribution of illegal drugs in Seabrook and surrounding areas.

We are still hiring for full-time police officers and anyone wishing to pursue a career in law enforcement with the Seabrook Police Department can apply at [PoliceApp.com](https://www.seabrooknh.com/PoliceApp.com).

Respectfully submitted,



Brett Walker  
Chief of Police



**Memo**

**To: Chairwoman Kyle, Selectwoman Brown, Selectman Khan**

**From: Town Manager**

**FEMA Floodplain Map Required Action**

**October 11, 2020**

We have received direction from the New Hampshire Office of Strategic Initiatives (OSI) relative to some ordinance changes necessitated by the creation of the new FEMA Floodplain maps. There is action required by both the Board of Selectmen, and the Planning Board, although those actions are independent of each other. I have had the OSI guidance vetted by Attorney Justin Pasay, who made a suggestion for an addition, which is incorporated into the resolution. (I have attached the guidance from Attorney Pasay.) This memo applies only to the action required by the Board of Selectmen. I have discussed the Planning Board requirements with Tom Morgan, who indicated he would be bringing the required language to the Planning Board.

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William Manzi  
Town Manager

Pursuant to RSA 674:57, by resolution of the Board of Selectmen, all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the County of Rockingham, NH" dated January 29, 2021, together with the associated Flood Insurance Rate Maps, dated January 29, 2021, are declared to be part of the Town of Seabrook Zoning Ordinance and are hereby incorporated by reference. Owners and lessees of affected real property may appeal the map amendment under 44 CFR § 67.5.

After adoption of the above please adopt the below language.

24.120 Affected Land Areas: The following regulations are hereby adopted so as to comply with requirements of the National Flood Insurance Act of 1968; These regulations shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study for Rockingham County, New Hampshire" dated January 29, 2021 or as amended, together with the associated Flood Insurance Rate Maps dated January 29, 2021 or as amended, which are hereby declared to be a part of this ordinance and are hereby incorporated by reference.

- 2. Once the above two steps are completed, a certified copy of the resolution, which must be signed by the governing body members and dated, and a certified copy of the municipality's entire floodplain ordinance with the new maps and study dates included, must be submitted to the below contact person at NHOSI no later than two weeks before January 29, 2021.**

This responds to your request that we review the FEMA resolution below.

### **Executive Summary**

OSI's resolution is fine but we recommend adding a reference to the statutory and regulatory appeal rights of owners/leases of affected property as indicated in our redline version of the resolution below. We otherwise recommend that the Town follow the exact procedure outlined in the OSI guidance below and you should let us know if you have any questions.

### **Analysis**

Seabrook has a Floodplain Regulation in the Town's Zoning Ordinance. Zoning Ordinance, § 24. Section 24.120 identifies the affected land areas, which are defined as "all the lands designated as special flood hazard areas by [FEMA] in its Flood Insurance Study for Rockingham County," dated May 17, 2005 "or as amended." RSA 674:57 sets forth the process for amending flood insurance rate maps and states: "[a]mendments to the flood insurance rate maps shall apply to local floodplain ordinances upon their adoption by resolution of the local governing body . . . and shall require no further action by the local legislative body." RSA 674:57. However, adversely affected property owners may appeal flood map amendments pursuant to 44 CFR § 67.5. A read of that federal regulation does not reveal a clear indication of what the actual appeal rights are, but it appears that the only grounds for appeal are a scientifically or technically incorrect elevation. 44 CFR § 67.6.

Therefore, under the law, Seabrook's Select Board (the governing body) can amend the flood insurance rate maps by resolution. Even though this resolution requires amending the Zoning Ordinance to reference the amended flood insurance rate maps, no action is required by the local legislative body pursuant to RSA 674:57.

NH OSI correctly identifies the standard and provides an outline for a Select Board to adopt a resolution amending the flood insurance rate maps. The proposed resolution only amends the Zoning Ordinance to change the reference from the 2005 FEMA Flood Insurance Study and Rate Maps to the 2021 Flood Insurance Study and Rate Maps. Therefore, the proposed resolution appears to comply with the limited authority set forth in RSA 674:57.

However, we suggest making a minor addition to the resolution that makes it clear to affected parties that there is a right of appeal. This minor addition should help avoid any due process challenges down the road, particularly given the unwieldy appeal procedure in 44 CFR § 67.5. Our propose resolution is as follows:

Pursuant to RSA 674:57, by resolution of the Board of Selectmen, all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the County of Rockingham, NH" dated January 29, 2021, together with the associated Flood Insurance Rate Maps, dated January 29, 2021, are declared to be part of the Town of Seabrook Zoning Ordinance and are hereby incorporated by reference. Owners and lessees of affected real property may appeal the map amendment under 44 CFR § 67.5.

## Kelly O'Connor

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**From:** William Manzi  
**Sent:** Thursday, October 15, 2020 12:58 PM  
**To:** Kelly O'Connor  
**Subject:** Two Resolutions for Agenda

Pursuant to RSA 674:57, by resolution of the Board of Selectmen, all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the County of Rockingham, NH" dated January 29, 2021, together with the associated Flood Insurance Rate Maps, dated January 29, 2021, are declared to be part of the Town of Seabrook Zoning Ordinance and are hereby incorporated by reference. Owners and lessees of affected real property may appeal the map amendment under 44 CFR § 67.5.

24.120 Affected Land Areas: The following regulations are hereby adopted so as to comply with requirements of the National Flood Insurance Act of 1968; These regulations shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study for Rockingham County, New Hampshire" dated January 29, 2021 or as amended, together with the associated Flood Insurance Rate Maps dated January 29, 2021 or as amended, which are hereby declared to be a part of this ordinance and are hereby incorporated by reference.